

REMARKS**Status of Claims**

At the outset, Applicant notes that the Office Action states that Claims 1-40 are pending in the Application, but Applicant respectfully points out that Claims 1-21 and 24-40 are pending, Claims 22 and 23 having been cancelled without prejudice in a Preliminary Amendment filed September 25, 2001. (The status of those claims was accurately set forth in an earlier Office Action dated April 4, 2003.)

Section 102(b) Rejections

Claims 1-2, 11, 16-18 and 28 stand rejected under 35 U.S.C. §102(b) as anticipated by Kawasaki and/or Lesko because it is asserted that the "bottom heading" recited in those claims may not in fact serve as the bottom structure. In order to clarify this, the claims have been amended to refer to the heading as the "bottom-most heading." In both Kawasaki and Lesko, a member other than the bottom-most heading has a hole through which an anchoring member is inserted.

Claims 1-2, 16-17 and 28 are also rejected under section 102(b) as anticipated by Cerwin. These claims have been amended to recite that the anchoring portion of the anchoring member is "transverse," as shown, for example, by reference numeral 76 in Figure 4 of the specification. In Cerwin, to the contrary, to the extent the reel assembly could be said to have an "anchoring portion," that portion is circumferential rim 120 of spool number 110, from which the sutures are dispensed. Such a circumferential portion is not, by definition, transverse.

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Section 103 Rejection

Claims 3 and 21 stand rejected under 35 U.S.C. §103 as unpatentable over Kawasaki, Lesko, or Cerwin. Applicant respectfully submits that with the foregoing amendments obviating the section 102 rejection, the section 103 rejection is overcome as well.

Miscellaneous Amendment

Claims 8 and 33 are amended to rectify a grammatical error. No change in scope is intended.

With the foregoing amendments and remarks, the case is believed to be in condition for allowance, and early notification to that effect is earnestly solicited.

The Commissioner is hereby authorized to charge to Deposit Account No. 22-0585 any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account.

Respectfully submitted,

By: William H. Oldach III
William H. Oldach III
Reg. No. 42,048

WHO:jsp

Vorys, Sater, Seymour and Pease LLP
1828 L Street, N.W., Eleventh Floor
Washington, D.C. 20036-5109
(202) 467-8800

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